

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

JAMES WIDTFELDT, and JAMES
WIDTFELDT TRUST,

Plaintiffs,

v.

MICHAEL JOHANNNS, in his capacity as
Secretary of the United States
Department of Agriculture, UNITED
STATES DEPARTMENT OF
AGRICULTURE, MONTE FLETCHER, in
his official capacity as Holt County
Executive Director of the United States
Farm Service Agency, an Agency of the
United States Department of Agriculture,
RICHARD KILMURRY, BONNY
KILMURRY, HILGER BROTHERS
PARTNERSHIP, GARY A. BURIVAL,
JOYCE A. BURIVAL, and EDWIN
BURIVAL,

Defendants.

8:05CV49

MEMORANDUM AND ORDER

This matter is before the court on plaintiff James Widtfeldt's Motion for a New Trial, Amendment of Judgment (Filing No. 49). Because there was never a trial in this case, the court presumes that plaintiff meant to file his motion as a motion for reconsideration. The court has carefully reviewed plaintiff's motion and Affidavit (Filing No. 50) and concludes that the motion to reconsider is without merit. Therefore, plaintiff's motion is denied.

IT IS ORDERED:

1. That plaintiff's motion for a New Trial, Amendment of Judgment (Filing No. 49) is denied; and
2. The Clerk of Court is directed to send a copy of this Memorandum and Order to plaintiff at his last known address.

DATED this 4th day of January, 2007.

BY THE COURT:

s/Joseph F. Bataillon
JOSEPH F. BATAILLON
United States District Judge